

General Complaint

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

Shelley Sonict
25350 Peirate Road 4721
Justin, TX 76247

List the full name of each plaintiff in this action.

Case Number:

4:14cv122
Schell/Bush

VS.

HUD Region 6 Fort Worth Regional Office
801 Cherry Street, Unit #45
Suite 2500 Fort Worth, Tx 76102

List the full name of each defendant in this action.

Do not use "et al".

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
FEB 25 2014
BY DAVID J. MALAND, CLERK
DEPUTY

Attach additional pages if necessary.

I. ATTEMPT TO SECURE COUNSEL:

Please answer the following concerning your attempt to secure counsel.

A. In the preparation of this suit, I have attempted to secure the aid of an attorney as follows: (circle one)

1. Employ Counsel
 2. Court - Appointed Counsel
 3. Lawyer Referral Service of the State Bar of Texas,
P. O. Box 12487, Austin, Texas 78711.

*I have requested assistance from
HUD for over a year now.*

B. List the name(s) and address(es) of the attorney(s):

Gerry Sweeney from HUD Region 6

Patrick Boris from HUD Region 6

The attempts for aid were for CV-293-0084.

*My attempts for aid were unsuccessful and I suffered
a PTSD attack in the court room at the onset of
the motion for continuance.*

C. Results of the conference with counsel:

I am suing them for refusal of legal aid

even under Section 504.

II. List previous lawsuits:

- A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action or any other incidents? Yes No

- B. If your answer to "A" is "yes", describe the lawsuit in the space below.
If there is more than one lawsuit, attach a separate piece of paper describing each.

1. Approximate file date of lawsuit: Original filing 12-12-12 CV-8313
then CV-2013-0084 - now 4:14cv77

2. Parties to previous lawsuit(s):

Plaintiff Shelley Scott

Defendant Major League Realty

Attach a separate piece of paper for additional plaintiffs or defendants.

3. Identify the court the lawsuit was filed. If federal, name the district. If state, name the county.

State - Denton - Federal - Sherman

4. Docket number in other court. CV-2013-0084 - Denton

4:14cv77 - Sherman

5. Name of judge to whom the case was assigned.

Robert C. Ramirez and now Judge Schell

6. Disposition: Was the case dismissed, appealed or still pending?

Dismissed by Plaintiff or now -sited and now pending 4:14cv77

7. Approximate date of disposition. 7-8-13 - 8-12-13 CV-2013-0084

4:14cv77 current

III. Parties to this suit:

- A. List the full name and address of each plaintiff:

Pla #1 Shelley Sonict

25350 Private Road 4721

Justin, TX 76247

Pla #2 _____

- B. List the full name of each defendant, their official position, place of employment and full mailing address.

Dft #1: Major League Party Inc. CV-2013-004

517 FM 156 Justin, TX 76247

Dft #2: Edward H. Jackson 4:14 CV 77

P.O. Box 797963

Dallas, Texas 75379

Dft #3 _____

Attach a separate sheet for additional parties.

IV: Statement of Claim:

State as briefly as possible the fact of your case. Describe how each defendant is involved. Include the names of other persons involved with dates and places. Do not give any legal arguments or cite cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need, attaching additional pages if necessary.

Refusal of a request for legal aid to a disabled person in a housing situation, under Section 504.

*Refusal of a reasonable accommodation to a disabled person under Section 504.
* See attached Brief Description of cause.

Brief Description of Cause:

This cause is for the refusal of a reasonable accommodation under section 504.

If courts and Judges can be used to determine custody of children and property then they can be used to determine right under contacts and rental situations.

I begged this HUD regional office for help for just over a year. My request fell on deaf ears. The employees kept upholding a lease instead of upholding the law.

When I was in property management I was told that a law supersedes a lease. That even if all parties get together and sign a lease, if a problem arise then the law is what will be upheld. I was told that even if the lease says that work orders have to be put in writing, the laws says that is not the case for the disabled, so if a problems arises the law is what will be upheld. I was told the law is like that because that is one way that landlords discriminate. They hide behind a written work order.

Well I had a broker that was hiding behind a lease. She broke the law by retaliating against one partner and would not stop her retaliation until the other partner stood up to her.

The only problem was that in my opinion my partner is emotionally disabled and can not stand up to a bully. To make matters worse he is embarrassed and quite possibly in denial of his disability.

The Fair housing violation in our case did not happen because we are disabled, but it was not able to be resolved and was allowed to escalate because we are disabled.

The Fair housing violation in our case was an act of hate but not hate because of our disabilities. It was just hate because the Broker of the property management company is unprofessional and is either unaware of the laws that are put into place to protect tenant rights, or she just chooses to ignore them. She does not like to be told she is doing things wrong, even if she is breaking the law. She gives good customer service and her tenants are not allowed to say otherwise.

Only that's not what the law says. The law defines good customer service and who pays for what and I will not pay someone for a service they are not willing to provide. Nor will I sign a legal contact with someone who breaks laws and has already violated the landlord's contract as well as put the landlord in a position of being liable for her representatives illegal actions.

When the FHA was amended to added the disabled in 1988 it not only made discrimination against the disabled illegal, it also acknowledged that the disabled sometimes need help due to their disabilities. For this reason refusing a reasonable accommodation was also defines as discrimination under the act.

The Broker retaliated against me for standing up for our (my partner and my) rights and well as threatened future retaliation by saying that there would be no more communication through me. After the Broker retaliated against me I asked my partner to stand up for me but he would not. He told me that he did not see why I could not just go through him. I attribute his refusal to my many pleas for assistance to his disability. After his refusal for help, I went to the Landlord and let her know that her representatives were breaking the law and had retaliated against me. Due to the threat of retaliation combined with my partners reaction I asked the landlord to mediate. I did not tell her that her that my partner is in my opinion an alcoholic because my Partner did not want the property management company to know and asked me not to tell them.

Being embarrassed about being disabled is a reality. That does not mean an individual does not have to struggle with the disability or that they won't need help. It just means they may not want to reveal the reason the help is needed so they do not have to face the embarrassment.

The Fair housing act also gives rights to people who are residing or intending to reside with the disabled. In my opinion it does this because the disabled can not always help themselves and the law is giving their loved ones the legal right to assist them as well as themselves.

I brought my case to HUD and asked them for a reasonable accommodation under section 504.

I was in a horrible court battle due to a horrible housing situation and I needed their help but it was denied me even though HUD was aware of the following facts of my case;

1. My partner is a member of a protected class under disability and is an emotionally disabled man. This proof was submitted to HUD in the form on an audio and transcribed conversation with my ex - Partner. (See attachment Exhibit A)

2. My ex – Partner moved into a house managed by a property management company even though he know they were opening retaliating against me. HUD also knew that I had been in property management for seven year. I told my ex about the procedures the property management company's employees were violating and the risks to the tenants safety and positions for violating those procedures. I shared with my ex and he was aware of the laws they were breaking as well as the fact that retaliation is illegal. (See attachments Exhibit B – Exhibit B part 4 & Exhibit C)

3. HUD was aware that my ex – Partner moved into this house even though my home was unlivable and was causing he health problems.

4. HUD was aware that my ex – Partner moved into this house even though I was unemployed and he was my sold financial support.

5. HUD was aware that my ex – Partner sent misleading information between himself, myself and Mr. Banis to the Defense in CV-2013-00884 in an effort to sabotage my case. His sabotage resulted in Sanctions against me.

6. HUD was aware that my ex – Partner gave the Defense in CV-2013-00884 permission to publish my personal emails to him and aided the Defense in getting more Sanctions against me as well as harm my reputation in the small town in which I live.

7. HUD was aware that when I left my ex he would not give me any financial support even though I was unemployed and behind on my mortgage. At the time me ex was also having financial problems since he spent almost \$13000 to move in and move out of the rental house in question. Even though my ex could legally get the money back he would not due to his emotional disability, and the courts would not let me because I would not sign a lease with this company due to their illegal actions.

8. HUD was aware that I had to borrow money from a friend to prevent my property from going into foreclosure; as well as the fact that I had to move in with my friend because my home was unlivable. (See attachment Exhibit H)

9. HUD was aware that I could not afford legal counsel nor could I obtain legal counsel since I was unwilling to sign a legal document with a company that was breaking the law and was opening retaliating against me.

10. HUD was aware that the Brokers lawyer had violated my civil rights as well as put Mr. Jackson in a position of being liable to me for breech of contract by opening retaliating against me with her original answer filed through the court while my ex - Partner was still living in a house that they managed. (See attachments Exhibit B – Exhibit B part 4)

12. HUD was aware that I asked the Landlord for help with this situation since her representatives were breaking laws and had retaliated against me and my ex would do nothing, in my opinion, since he is emotionally disabled. HUD is also aware that I did not reveal his disability to the landlord at my ex's request.

13. HUD was aware that the Landlord refused my reasonable accommodation for assistance due to her representatives illegal actions even though we had been neighbors for years. (See attachment Exhibit I)

14. HUD was aware that I was being ostracized for standing up to the Broker of the property management company and demanding the respect that the law allows me. She broke the law and retaliated against me and then refused remedy the situation, recognize my rights or even acknowledge me unless my emotionally disabled ex stood up to her and asked her to stop.

15. HUD was aware that I suffer from PTSD (Post traumatic stress disorder) due to my childhood with emotionally and physically abusive alcoholic parents.

16. HUD was aware that the Brokers verbal attack had triggered a rage PTSD reaction that went undiagnosed until my ex – Partner vacated the premise in question. This PTSD attack also triggered paranoia that required a doctors assistance and would have made it impossible for me to live in that house without this care or the mediation of an impartial third party. After years of emotional and physical abuse, I need to feel safe in my home. I will not be bullied in my home: and seven years in property management working with professionals has shown me there is another way. The Fair housing act has laws specificity designed to prevent hatred and emotional abuse directed at Americans in need of housing. This is emotionally important to me but my ex – Partner's emotional disability seems to make him extremely indifferent as to his partners needs or rights even when he was shown these laws in writing. When I spoke to my therapist and told her he has no respect for me, she said it was most likely not because he doesn't have respect for me, but that he does not have respect for himself; and if he were to acknowledge there was a problem, he would have to deal with the problem; and most likely he is emotionally unable to do so at this time.

I wasn't aware when this happened that my illness had been triggered so I could not tell anyone involved that's what was going on. What I did know was that what happened was illegal. It was retaliation for standing up for our rights and I said that to both my partner and the landlord over and over again. They ignored me.

My friends kept telling me that they did not understand what was going on with me but that it was not good for me, and that I needed to let it go for my own health and well being. They kept saying I can hear the stress in your voice. How come your partner can't hear it? I told them it is because he is a wounded alcoholic and he doesn't have good boundaries. I told them because they are my friends and I needed their emotional support, but I did not tell the property management company because my ex –

partner asked me not to and I was in love with him. I did not want to humiliate him.

I didn't find out until after my ex moved out of that house that my extreme loyalty is also a characteristic of my being the child of alcoholics. My therapist told me that children of alcoholics are extremely loyal, even in the face of evidence that loyalty is undeserved. (See attachments Exhibit G)

I told my partner that the Broker attacked me, I used those words because that is how it felt. I felt attacked and I said so over and over again. He ignored me, or told me to let it go, and would not addressed the issue with the Broker even though I showed him that there are laws to prevent this behavior. The Broker never called to apologize or even tried to make amends for what happened. She just kept playing her game of ignoring me because I was not on the lease. She knew I would not sign the lease with her company until her actions were address because I told my ex and the landlord that as well. When I took the Broker to court she used the fact that I would not sign the lease with her company against me, saying I didn't have any rights in this rental transaction. She know I would not sign a lease with her company because her employees break laws and are admittedly ignorant of the laws of their profession and the Broker retaliates against people for exercising their rights.

Her illegal actions destroyed our relationship. My ex moved out of the rental house three weeks after he moved in. I had to find another place to live. My ex and I were both financially hurt while she profited from this situation. I have been humiliated and I feel I am being forced to humiliate my ex, while the property management company's reputation remains intact. For a normal healthy couple this situation would be an easy fix and wold not require legal assistance. We are emotionally disabled and have difficulty with intimate relationships but we did not break any laws. The Broker and her employees did.

18. HUD was aware that it was my request that my ex sign the lease and move into the house in question before I would sign. My reasons for this request was that I had been abandoned by my former ex who left me with nothing and would give me no assistance even though the house is in his name. (The land is in my name). His abandonment made me a little leery and untrusting so I requested that my current ex make the hour and a half move before I would sign a legal document with him. At my ex's insistence I notified the landlord of the fact that it would be a rental for both of us but that I would be added to the lease after his move. Thus I put in a verbal application even tough there was no need to since a person can be added to a lease at anytime. I had no idea that this company was going to be unprofessional and break laws. That was unforeseen to me but not to the Federal government.

The Federal government took care to make sure that everyone in America could freely chose a place to live when they passed the Fair housing act. The government also took care to make sure that the disabled are protected just in case they do not do things like other people, (or even like other disabled people due to the fact that some disabled people are embarrassed by their disabilities, or in my case unaware of different aspects of a known disability) when it passed the Americans with Disabilities act and said that the disabled can ask for accommodation under section 504 because simply treating the disabled the same as everyone else may not ensure that they have an equal opportunity to use and enjoy a dwelling.

17. HUD was aware that I suffered a fear PTSD attack in the court room while trying to defend myself. (See attachments Exhibit J)

HUD was aware of all of this and still they refused my reasonable accommodation for legal aid saying I did not have any rights in this rental situation. I did not become a second class citizen

just because I refused to sign a lease with a company that was breaking the law and my ex – Partner who was aware of their illegal actions decided to move in anyway!

HUD's director told me to legally go after my ex. I told him my ex has already lost thousands and his relationship due to this failed housing experience. My ex is unstable and has already retaliated against me and has aided the property management company in getting sanctions against me as well as used them to publicly humiliate me. The property management company broke laws and they have profited from this rental as well as publicly humiliated me and were able to get sanctions against me for defending myself against their illegal actions. Because of my ex they have our money to use against me while I am hurting financially due to this failed housing experience and have had to represent myself in court.

There are two people in this rental transaction. Two people need to be satisfied with the property management company's actions. Retaliation is illegal before or after a lease is signed, so it stands to reason that it is illegal to retaliate against one partner and refuse to remedy this behavior until the other partner stands up for their partner and stops this illegal behavior.

My ex told me that once he was in that house he knew he had made a mistake. Once he was in that position he chose to drink. If he were emotionally healthier he would have made another choice, but unfortunately that is not the case. He set off his intoxaloc which was a violation of his probation for a DWI and had to repeat some of his required classes.

When he gave notice to vacate only three weeks after he moved in, the property management company charged him thousands to get out of the lease and he paid it even though I had told him for weeks they were breaking the law. He had inappropriately given him our personal correspondence so they were aware of the damage their illegal actions had caused our relationship and still they charged him thousands to get out of a lease while they openly retaliated against and ostracized his partner.

We were back together with in a week after he moved out of the rental house managed by this property management company, but he had signed a new lease an hour away from me, and I still did not have a safe place to live. The distance as well as the huge financial loss due to this housing situation really put a strain on our relationship.

After the first trial we were both surprised when the Judge would not hear the case, but that was because I was the one filing the law suit and he was the one who signed the lease. I got the idea for my partner to have his lawyer draw up a letter asking the broker to refund the money she charged him to get out of the lease since her employee's broke laws, she retaliated and the landlord refused aid in this situation. I wrote down the laws they were breaking and my partner sent them to his lawyer. While we were waiting to hear from the lawyer my ex started to get nervous. He said he didn't want to spend anymore money on this and we should go to another lawyer since his lawyer would change him to send the letter. I told him that didn't make any sense since it would cost even more if we went to another lawyer. Then he started to tell me that the Broker would not just give back the money. He told me about how uncomfortable he felt when the Broker and Landlord were speaking bad about me while they were all in a room together waiting for the Broker's lawyer and me to talk to the Judge. I was shocked that he felt no loyalty to me even though we knew by this point what had happened. That I was experiencing the effects of a PTSD attack from the Brokers retaliating phone call.

I couldn't believe that he still could not stand up for me, for us or for himself. He couldn't tell them that we loved each other and wanted to be together. He could not tell them how stressful the housing experience was and how we were struggling financially now due to it. He didn't tell them that he had put in a notice to vacate his apartment so he could move yet again, just so we could be together. This time he could not blame his behavior on his drinking since he was back in recovery. I knew my therapist was right. It's not just that he does not have any respect for me, he doesn't have any respect for himself. He let a bully come into our lives and take away the only thing I ever wanted, Love. I could see what a liability he is, and that he has no loyalty to our relationship. We were behind on our bills and struggling and he can't confront the person who helped put us in this situation by her arrogant and illegal actions. I couldn't stay with him after that.

My ex never sees how he betrays me, nor does he recognize that I have rights. I hated being helpless in this situation. It's easy to say, well why would you want to be with him. The answer is I love him. I knew he is wounded but I loved him. A woman's heart and head don't always want the something, and the heart ache of not being with someone I love is hard to bear. As is the loss of my hopes and dreams of a future with him.

The last time we spoke my ex told me that he loved me and would do anything for me. (See attachment Exhibit A). All he had to do was say "I don't understand why this is bothering her so much but she tells me that you and your employees are breaking laws. I love her and moved her to be with her. You need to work this out with her because her home is unlivable and she needs a place to live." Instead he started to drink and left me homeless.

This situation was foreseeable and preventable, if this company's employees had only followed the laws of their profession. The Broker has a license and that license says she will be ethical and follow the laws of her profession.

She signs a contract with the landlords she represents that says she will follow the laws and procedures of her profession. This contract states this because if she or her employees break the law, the landlord can be held liable for their illegal actions.

The Broker is also required by the very nature of her license to make sure that anyone she hires is following the laws of their profession.

The Fair housing act is required knowledge for anyone in the housing industry.

So why then is she retaliating against one partner and refusing to remedy her illegal actions even when she has evidence of the destruction her illegal behavior is having on that couple's relationship? (See attachment Exhibit B part 1)

If she really wants to do a good service for her client the landlord, she would make sure the tenants get the service they are paying for and that their rights are respected.

People don't like to be yelled at or threatened because they stand up for their rights. Really this is human nature, that is why the laws are written the way they are. It is that easy to take away someone's home.

I went to rent a house for health reasons and due to this company's illegal actions I lost a safe

place to live, my relationship, finances, and the chance to start a new business, and on top of that I am in dept due to this failed housing situation.

In court I experienced a PTSD attack and the emotional aftermath that follows such attacks, public humiliation, and a thousand in sanctions against me. The property management company has the money they charged my ex to get out of the lease to hire a lawyer while I had to defend myself in court. I had to deal with a property management company that was breaking the law and my emotionally disabled ex – Partner who aided them against me in court.

I did not help the situation while my ex was in the property management company's rental house with my reaction to his decision to move in even though he was aware that they were breaking laws and were now retaliating against me. In fact my negative reaction and behavior only escalated the situation. I turned on my partner as I felt he had turned on me. I withdrew from him and verbally attacked him. It was this behavior, my reaction to their illegal actions and his betrayal, that my ex – partner allowed the property management company to make public in court in an effort to humiliate me and to deflect responsibility away from his, as well as their actions.

He also sent the property management company partial emails between myself and HUD in an effort to sabotage my case. He did this months after our final break up and in retaliation to my threat to tell his probation officer he was driving other vehicles without an intoxaloc which was in violation of his probation. He used the property management company to hurt me, and aided them in getting sanctions against me; instead of standing up for us and demanding the respect the law allows us. He through away his relationship, and thousands of dollars, but most importantly his self respect. To me he is an emotionally disabled alcoholic.

How is this legal? It's not. This HUD region chose not to help because when I made my request for a reasonable accommodation from the landlord that she mediate due to her representatives illegal actions, I did not specify that it was needed due to a disability. Nor would I sign a lease with a company that was breaking the law and retaliating against me.

I was told that HUD is the only agency allowed to assist the disabled with housing issues. This is a housing issue as well as a disability rights issue. HUD should be handling it.

When the employees of the property management company broke the laws of the Fair housing act as well as the Texas property code they violated the existing agreement we already had in place and courts can be used to decide breech of contracts. This company also made my ex liable to me for breech of contract by not remedying their illegal actions towards me; and there are laws for that as well. The Fair housing act says if this happens you can call HUD for help. That is exactly what I did, but even though I qualify, that help was refused to me. (HUD inquiry Numbers 354388 & 364678)

I told the intake director of HUD that the government has already anticipated situations such as this one when it passed Section 504 and allowed the disabled to ask for reasonable accommodations to the rules. I asked for a reasonable accommodation from HUD of legal services under Section 504 since I quality. I told him that from what I can tell HUD should not be denying me services since I quality. My request for legal aid under Section 504 was denied.

Due to my limited options, I have filed a suit against my emotionally disabled ex – partner for

breach of contract so the courts can acknowledge my rights in this rental situation. (See attachment Exhibit L) But my ex is unstable and I am revealing an embarrassing disability that he paid thousands to keep hidden. Now that I have filed the suit I am worried that my ex will retaliate against me again.

(See attachment Exhibit M) My MOTION FOR A RESTRAINING ORDER.

People will pay to avoid embarrassment. That is why black mail is illegal. If it is illegal for citizens to blackmail each other than it is illegal for the Federal government to blackmail it's citizens.

To require a disabled person who is embarrassed about their disability to reveal their disability in order to be protected from someone else's illegal actions is blackmail. Same thing for the loved ones of the disabled. Revealing an embarrassing disability could destroy a relationship or, in the case of abusive relationships, risk putting someone in harms way.

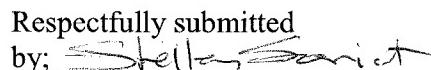
If such a situation were to occur HUD should be there to render assistance. That is the whole reason for the agency anyway. The law makers who passed the Fair housing act realized that laws are meaningless unless they are enforced. They also realized that the people who are discriminated against the most are usually the least likely to seek legal help, so they get something extra. Free legal representation.

When the act was amended in 1988 to add Section 504 reasonable accommodations for the disabled the department took on a whole new role. The agency now has to regulate as well as decide what is a reasonable accommodation.

I asked the landlord for help because her representatives were breaking laws and retaliating against me. I told her they were breaking Federal laws. I told her that I had already asked my partner for assistance but he did not see why I could not just go through him. I told her that he would pay before he makes waves while I can not stand to be taken advantage of. I told the landlord that her representatives actions had been causing me a lot of stress, and I asked her for her help.

She refused my reasonable accommodation and sat by while her representatives illegal actions destroyed my relationship and then they charged my ex thousands to get out of the lease. Money my ex chose not to recover due to his disability. Money the law has not allow me to recover for us since I would not sign a lease with this company.

I am requesting to take my case against HUD to a jury of my peers and ask them to judge my case and whether or not my request for legal aid from HUD under Section 504 should have been denied.

Respectfully submitted
by: 
Shelley Soniat
25350 Private Road 4721
Justin, TX 76247
940-594-4053

- V. Relief: State briefly exactly what you want the court to do for you. Make no legal arguments and do not cite cases or statutes. Attach additional pages if necessary.

Plaintiff requests this court grant the following relief:

a. Legal aid and to clear my name in CV-2013-00884

b. I would like for case to help prevent this from happening to anyone else in the future.

c. Injunctive Demand

Signed this 23 day of February, 20 14.
(Month) (Year)

Shelley Soniat

I declare (certify, verify or state) under penalty of perjury that the foregoing is true and correct.

Executed on: 23 of February 2014
Date

Shelley Soniat

Signature of each plaintiff